



Department of Corrections

Briefing Materials
January 27, 2011

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Office of Program Research

The Department of Corrections is responsible for:

- ▶ Incarceration of about 18,000 adult felons with sentences longer than one year.
- ▶ Community supervision of about 18,700 felons and misdemeanants convicted in superior court.

Local governments are responsible for:

- ▶ Incarceration of adults with sentences of one year or less.
- ▶ Supervision of all offenders convicted in district or municipal court.

Felony Sentencing Basics

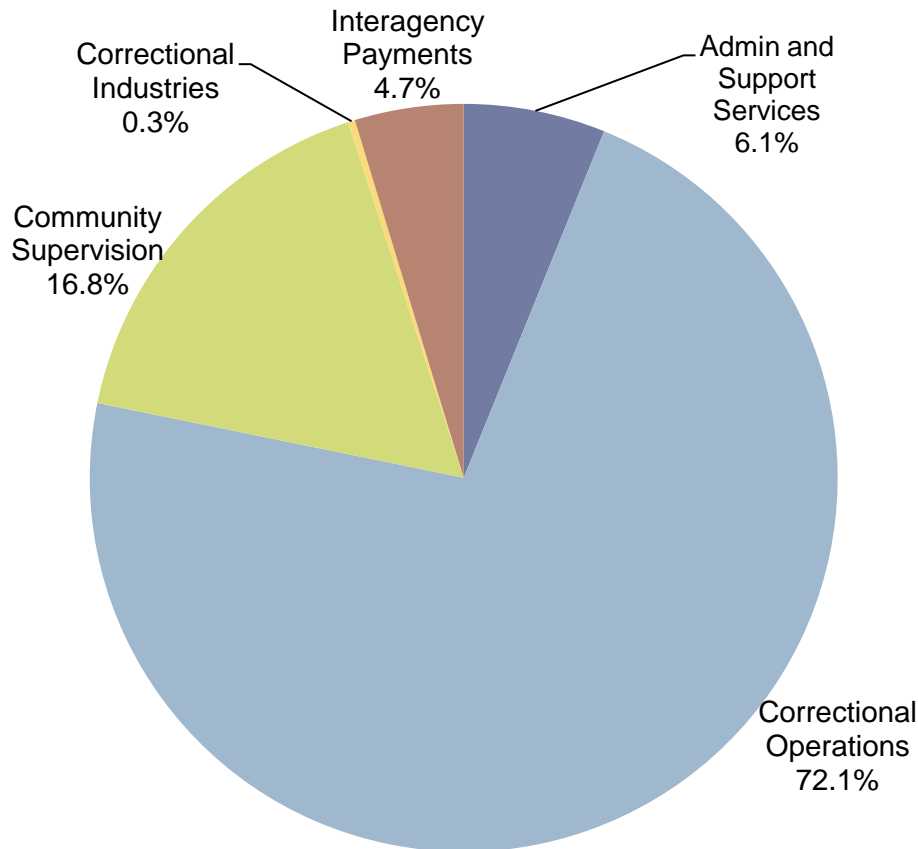
- ▶ The Sentencing Reform Act (SRA) passed in 1981 and took effect in 1984. The SRA replaced an indeterminate system with a determinate sentencing model.
- ▶ Offenders are sentenced based upon the “seriousness level” of their crimes and prior convictions.
- ▶ Judges may depart from the standard sentencing range through the imposition of an exceptional sentence if aggravating factors or mitigating circumstances are present.
- ▶ The SRA also enables judges to depart from the standard range under certain sentencing alternatives. These options include:
 - ▶ Special Sex Offender Sentencing Alternative (SSOSA)
 - ▶ Drug Offender Sentencing Alternative (DOSA)
 - ▶ First-Time Offender Waiver (FTOW)
 - ▶ Family and Offender Sentencing Alternative (FOSA)

Felony Sentencing Basics

Determinate Plus Sentencing

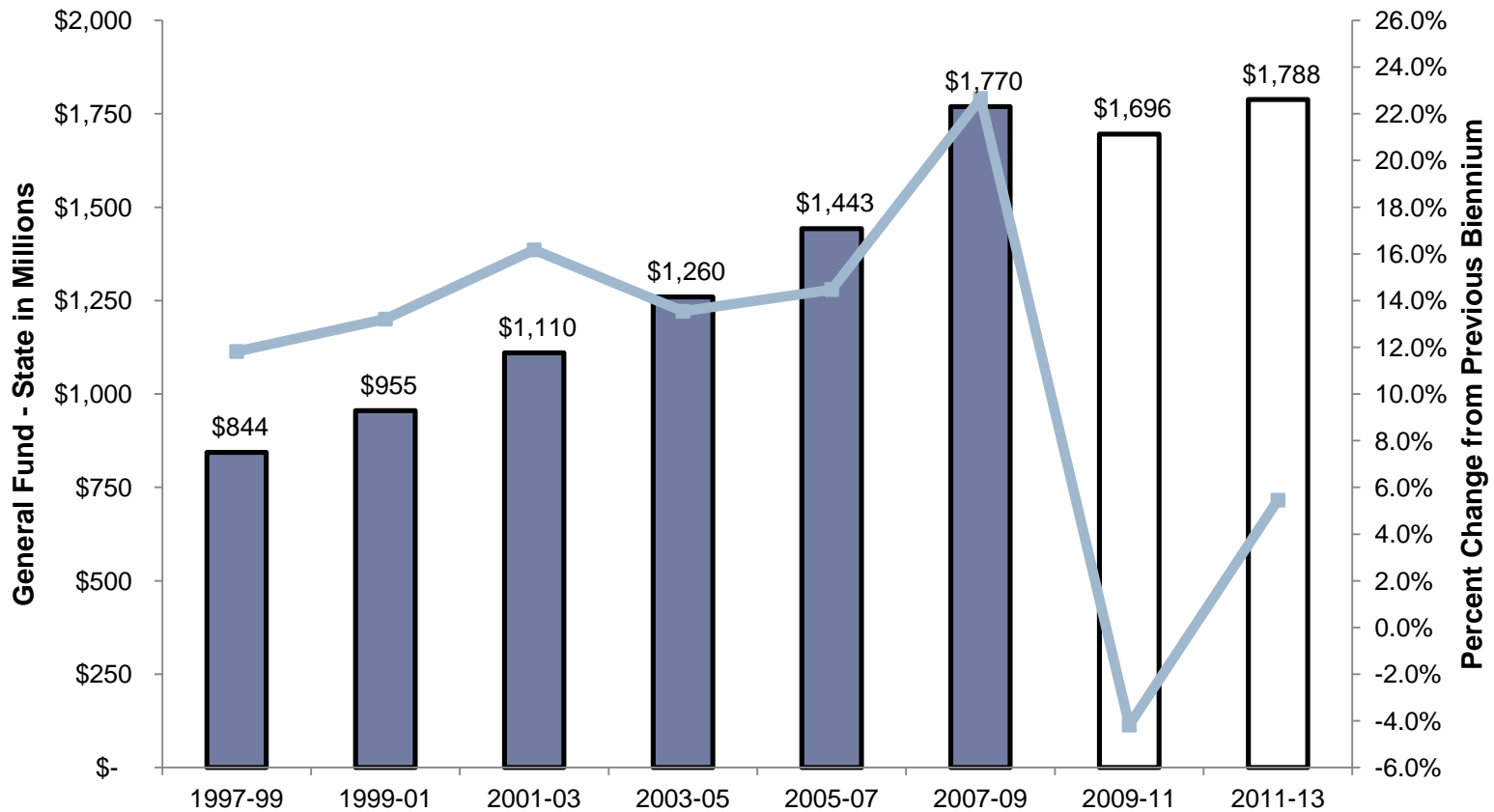
- ▶ For offenders committing specified sex or sexually motivated crimes on/after September 1, 2001, the judge sets the minimum term within the sentencing range, and the maximum sentence is the statutory maximum for the class of felony.
 - Class A = Life; Class B = 10 years; Class C = 5 years
- ▶ After expiration of the minimum term, the Indeterminate Sentence Review Board (ISRB) evaluates the offender. The ISRB retains releasing discretion between the minimum and maximum ends of the sentence.

A majority of the Department's spending is for the operation of prisons.



2009-11 Budgeted Allotments (Dollars in Thousands)	FTEs	GF-State
Administration and Support Services	669.3	103,903
Correctional Operations	6,489.1	1,222,147
Community Supervision	1,316.2	284,569
Correctional Industries	7.0	5,216
Interagency Payments	-	79,723
Total	8,481.6	\$1,695,558

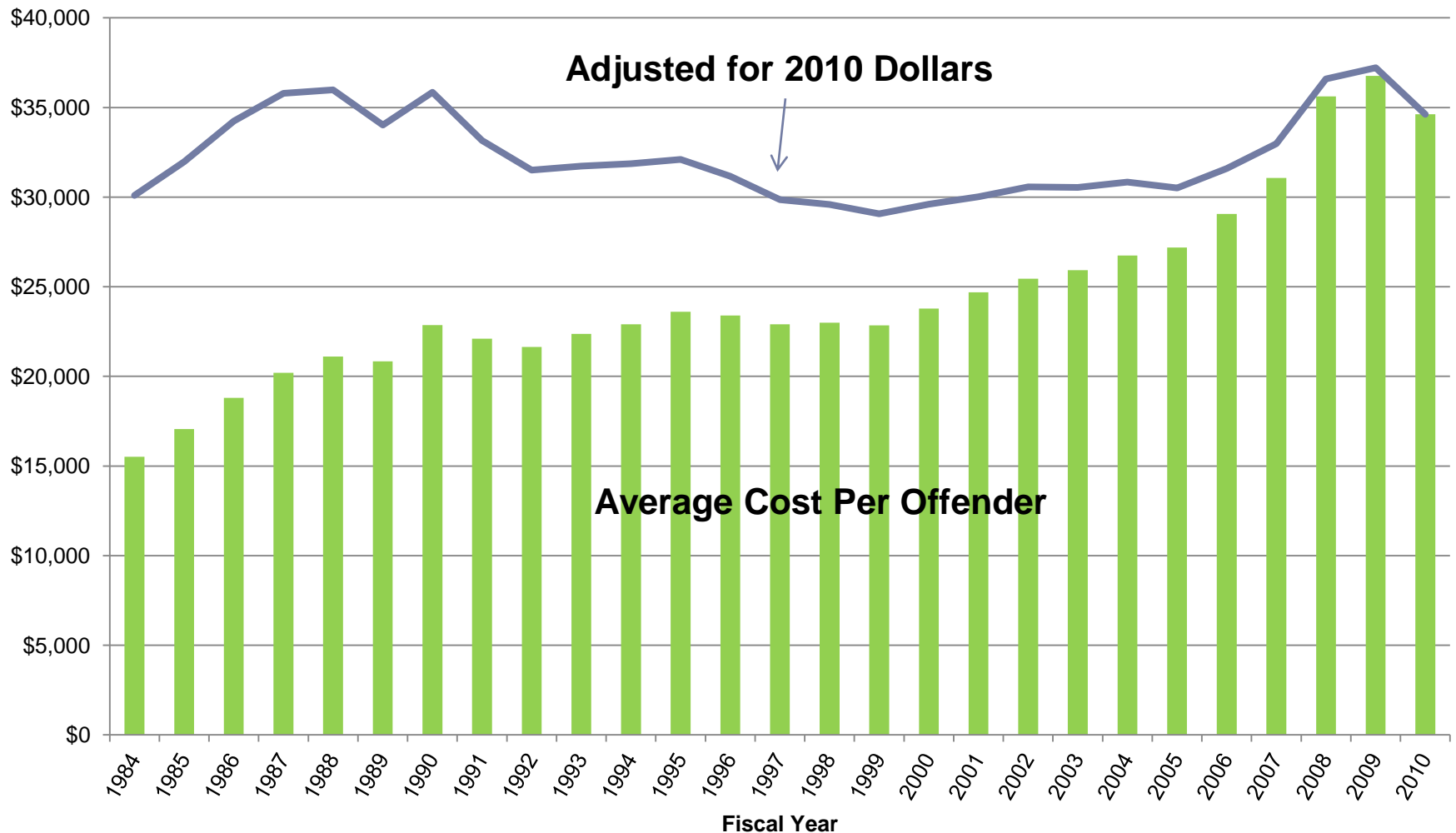
The Department's spending is proposed to decrease by 4.2 percent in 2009-11 from the previous biennium. The Governor's maintenance-level budget assumes nearly 6 percent growth in 2011-13.



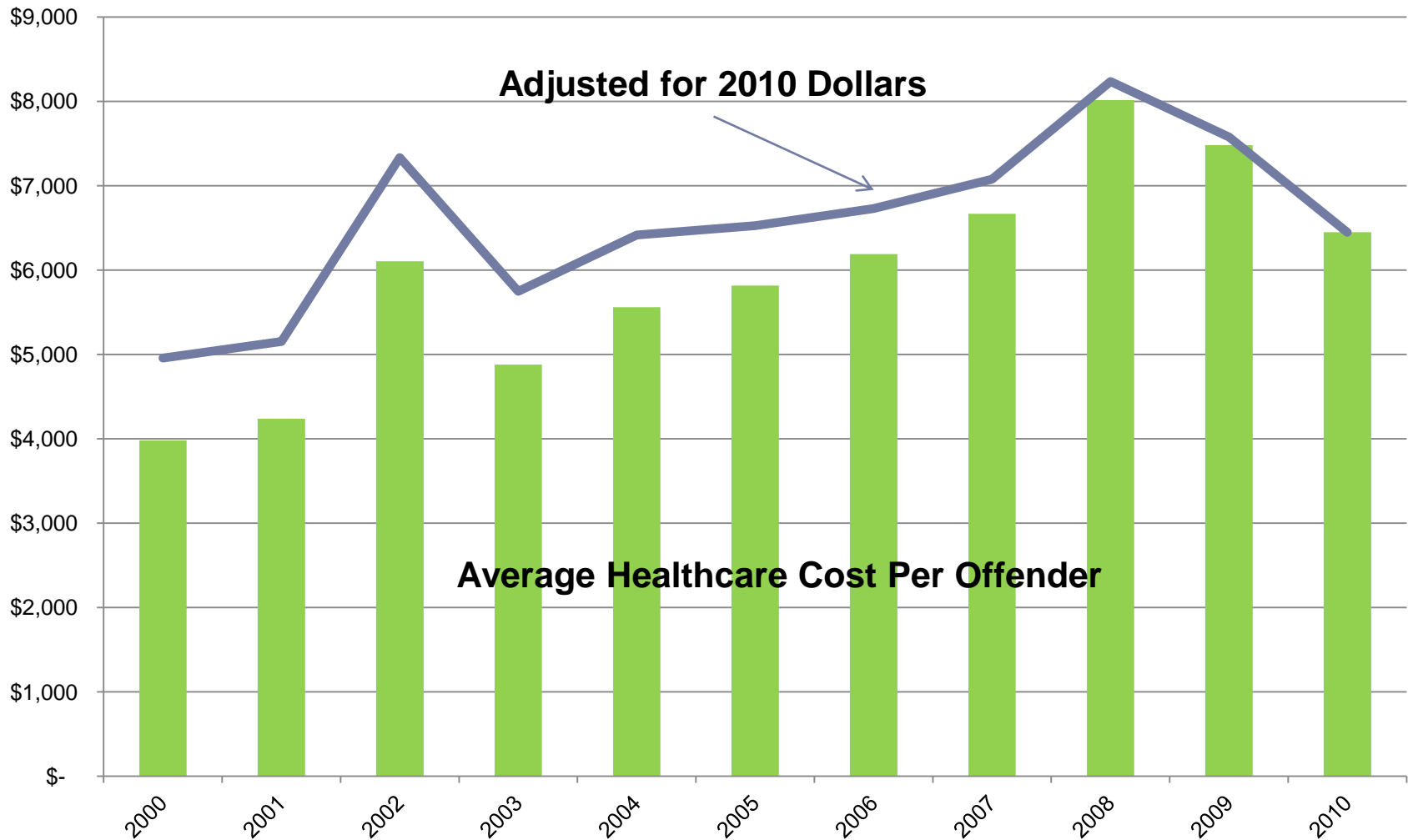
* 2009-11 includes Governor Gregoire's proposed 2011 supplemental budget.

** 2011-13 reflects Governor Gregoire's proposed maintenance level budget.

The average cost per offender had been increasing steadily between 2006 and 2009, but declined in 2010.



The average healthcare cost per offender has been decreasing since 2008.



Who Is In Prison?

Gender*	
Male	92.8%
Female	7.2%
Length of Sentence**	
Less Than Two Years	22.0%
Two to Five Years	22.7%
Five to Ten Years	18.9%
Over Ten Years	33.4%
Life without Release	3.0%
Average Length of Stay of Releasing Offenders**	20.9 months

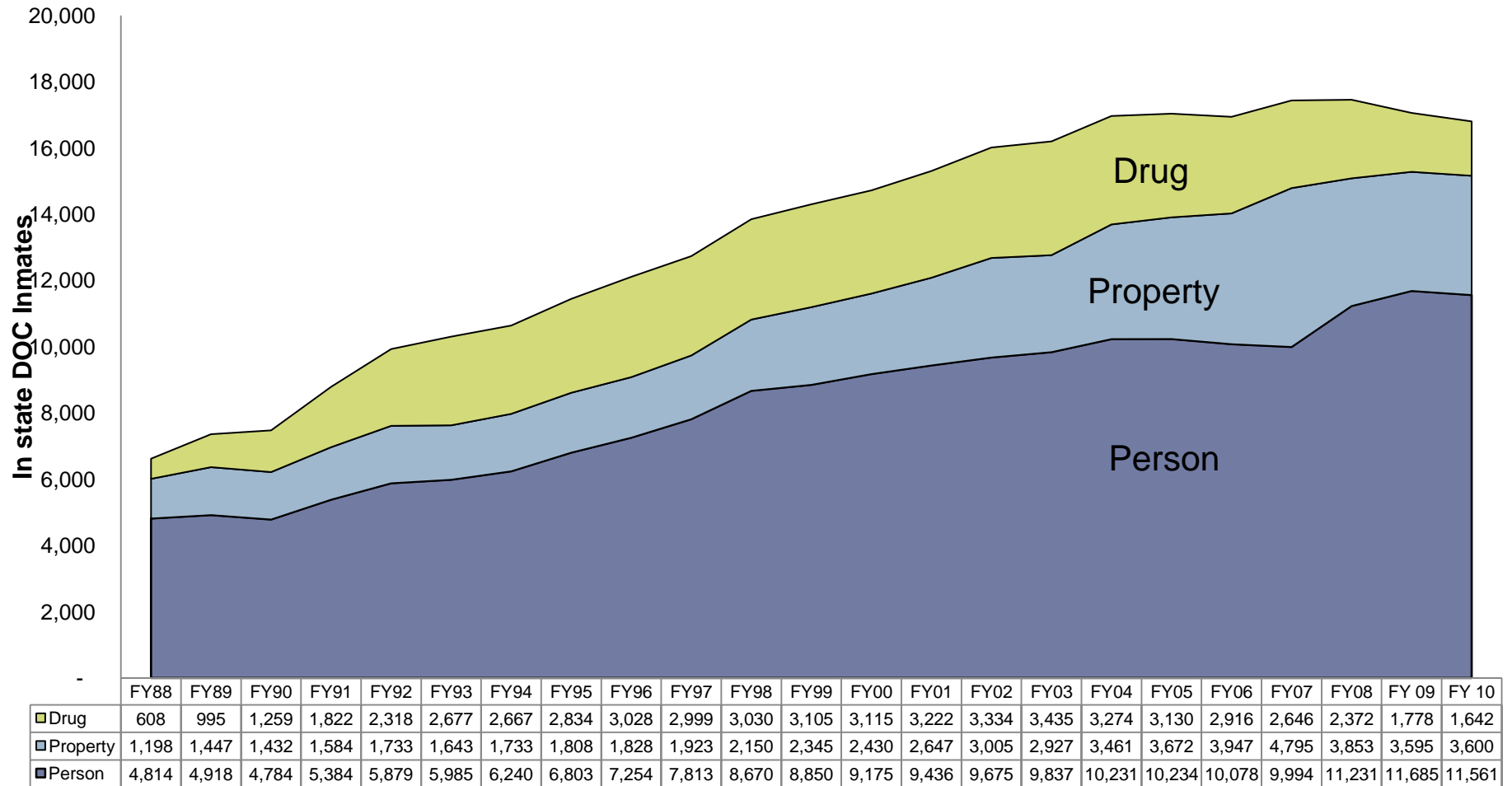
*as of December 31, 2010

** as of June 30, 2008

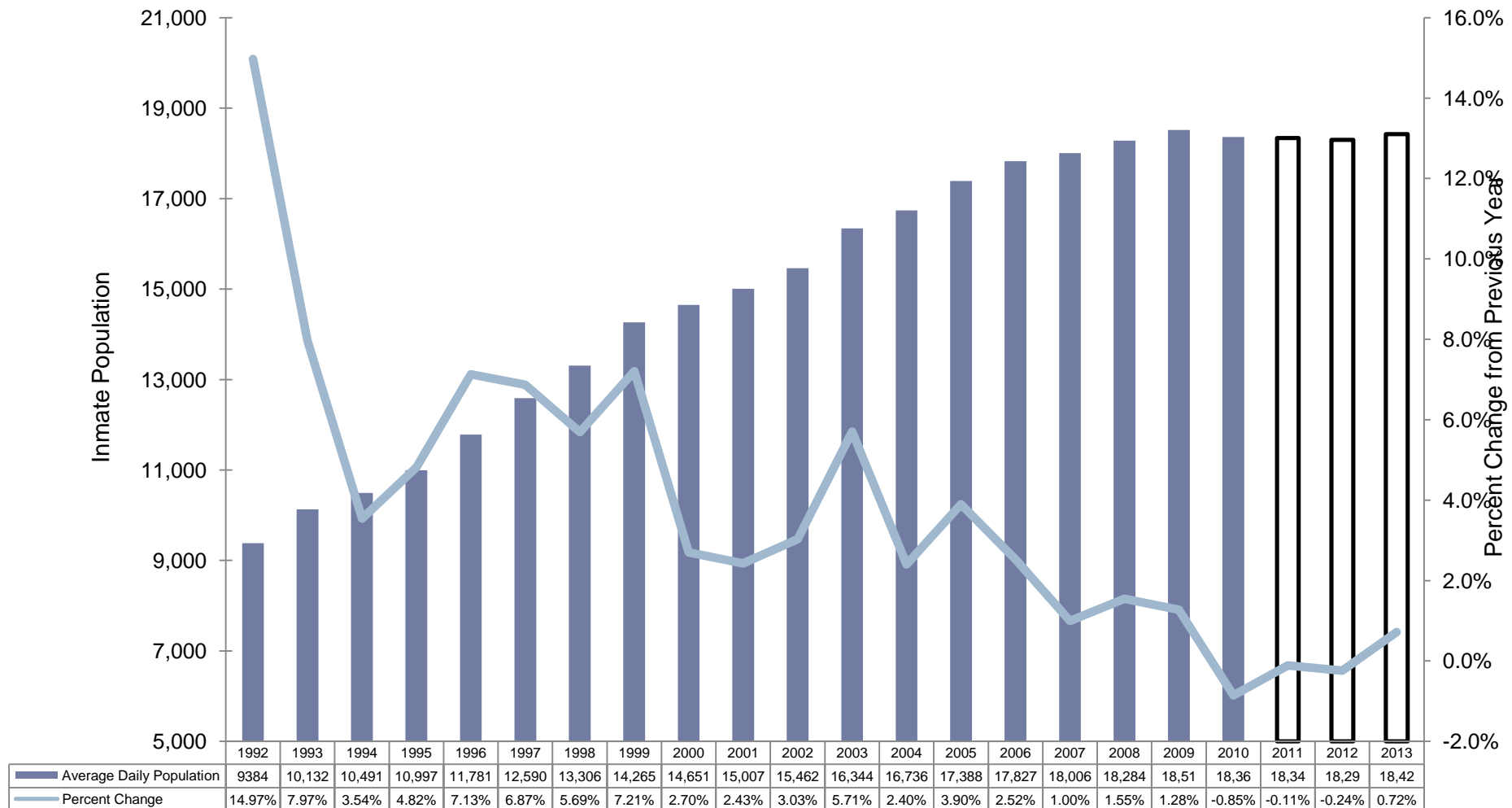
Commitment Type*	
New Admission	49.3%
Readmission	41.4%
Out-of-State and Violators	9.3%
Types of Offenses*	
Murder 1 & 2	13.1%
Manslaughter	2.0%
Sex Crimes	21.5%
Robbery	10.8%
Assault	22.9%
Property Crimes	17.3%
Drug Crimes	9.5%
Other	2.9%

Growth and Change in the Prison Population

(End of Fiscal Year 1988 – 2010)



The rate of growth for the Department's inmate population is projected to remain relatively flat in the upcoming biennium.



Who Is On Community Custody?

Number of Offenders on Active Supervision	18,690
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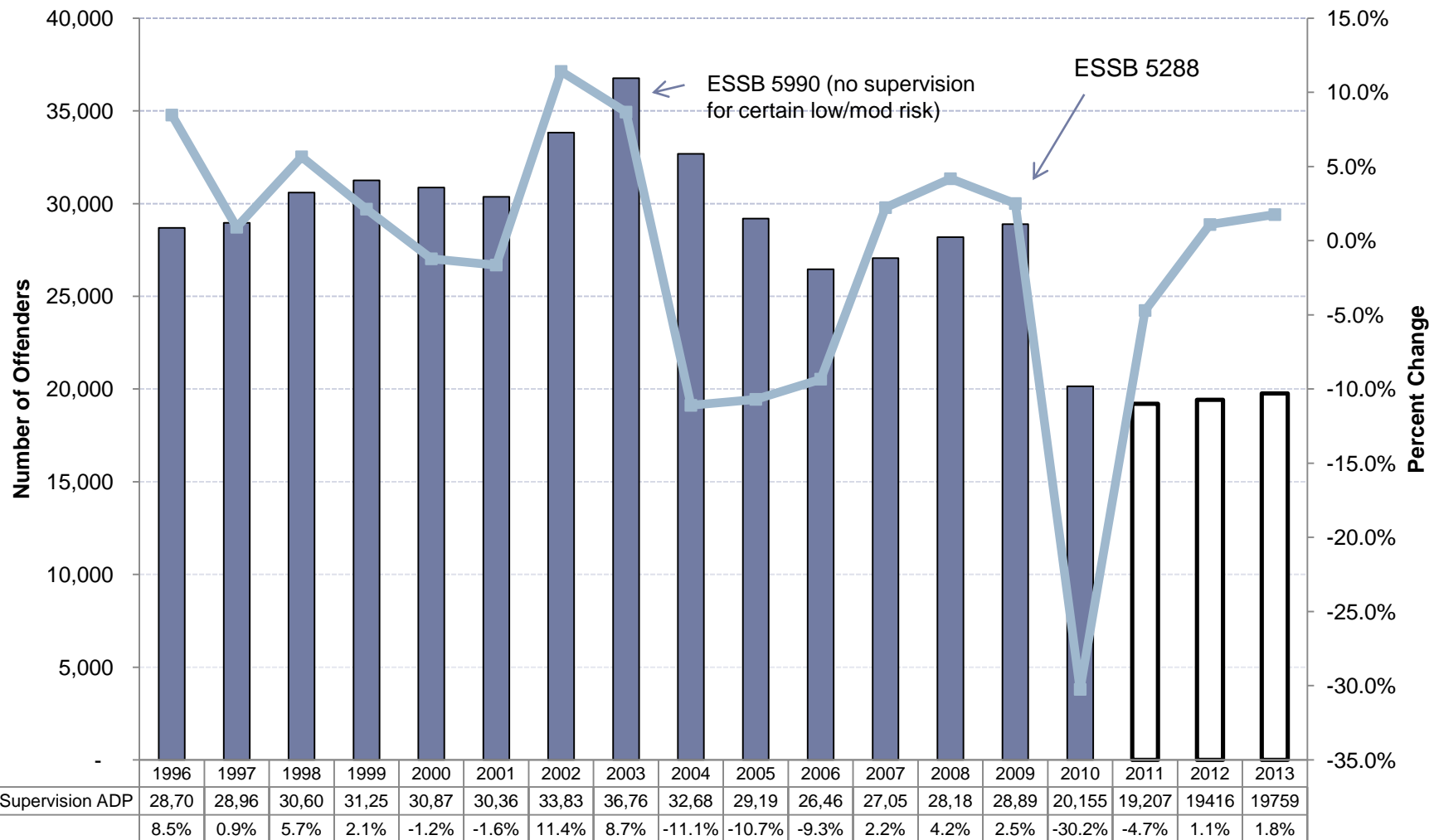
Offender Location Prior to Supervision	
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Prison	36%
Jail, Courts, Out-of-State	64%

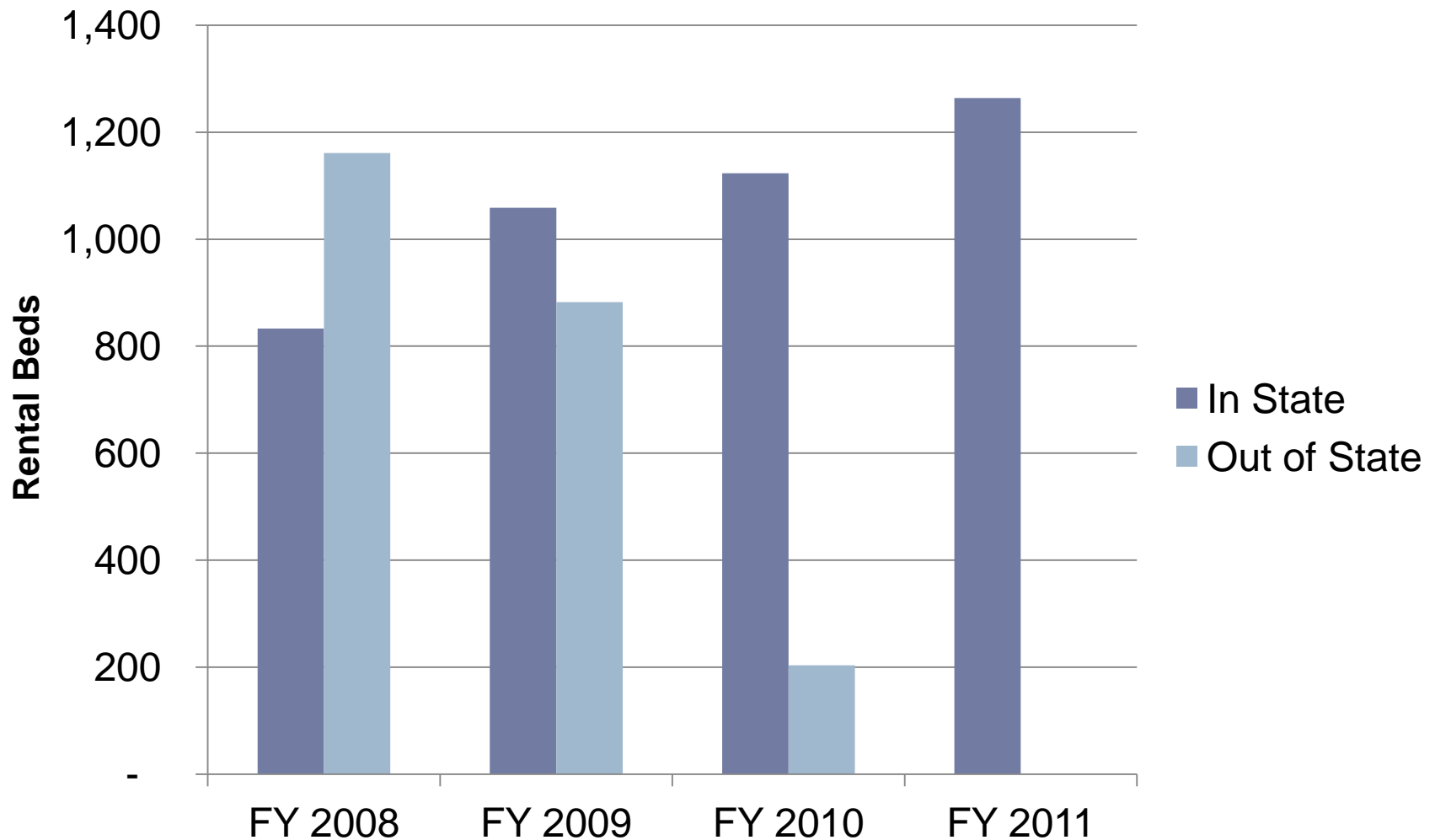
Risk Level Classification		
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High Violent	35.0%	6,555
High Non-Violent	29.2%	5,457
Moderate	18.6%	3,457
Low	16.1%	3,004
Unclassified	1.1%	199

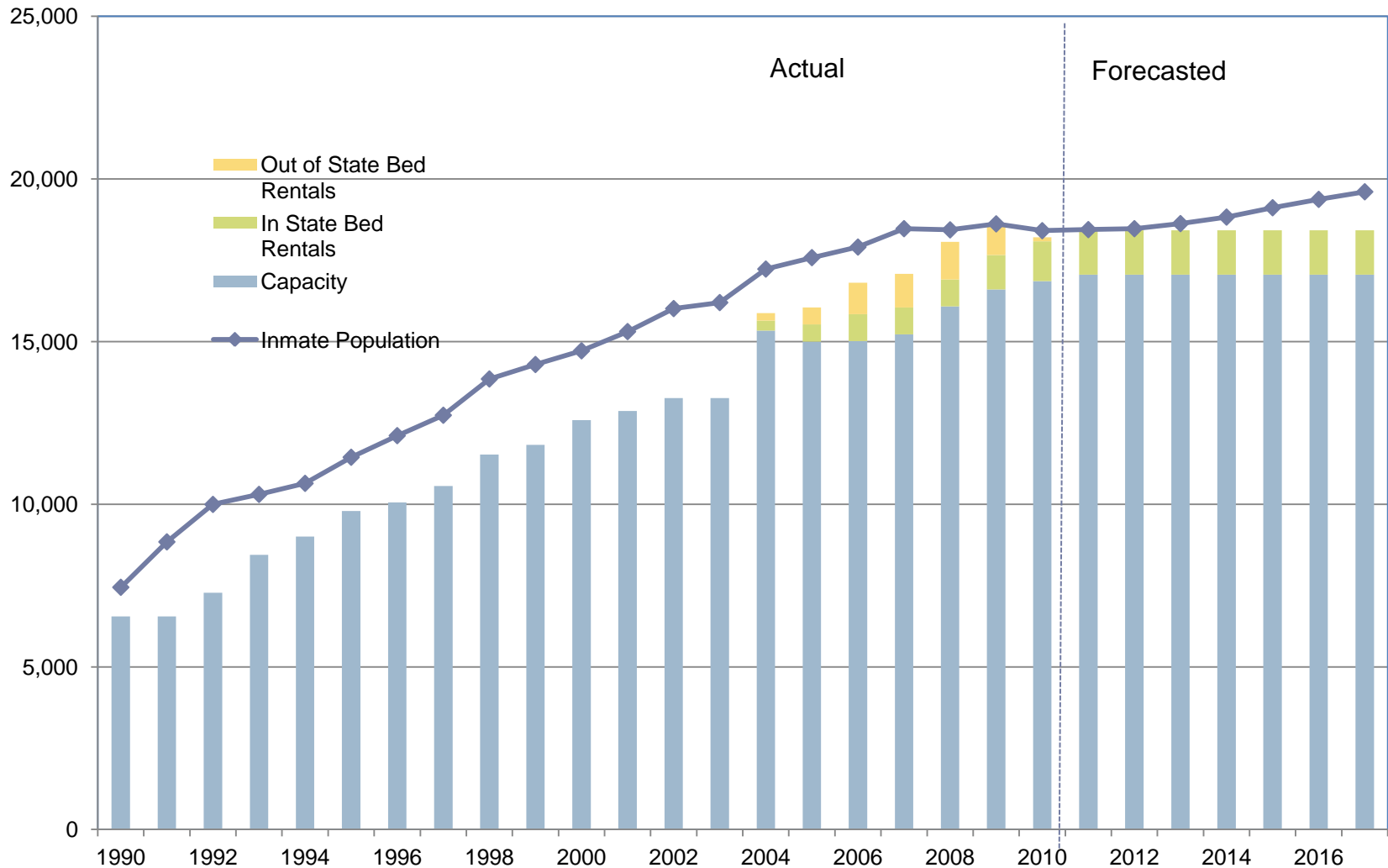
In 2010 the number of offenders on community custody dropped by nearly one-third. The population is projected to decrease slightly in 2011 and then slowly increase through 2013.



Currently, there are no Washington offenders housed in out-of-state facilities. The number of in-state rental beds has been increasing.



Prison Inmate Population and Prison Bed Capacity



Policy Level Changes to the Budget for DOC During the 2009-11 Biennium

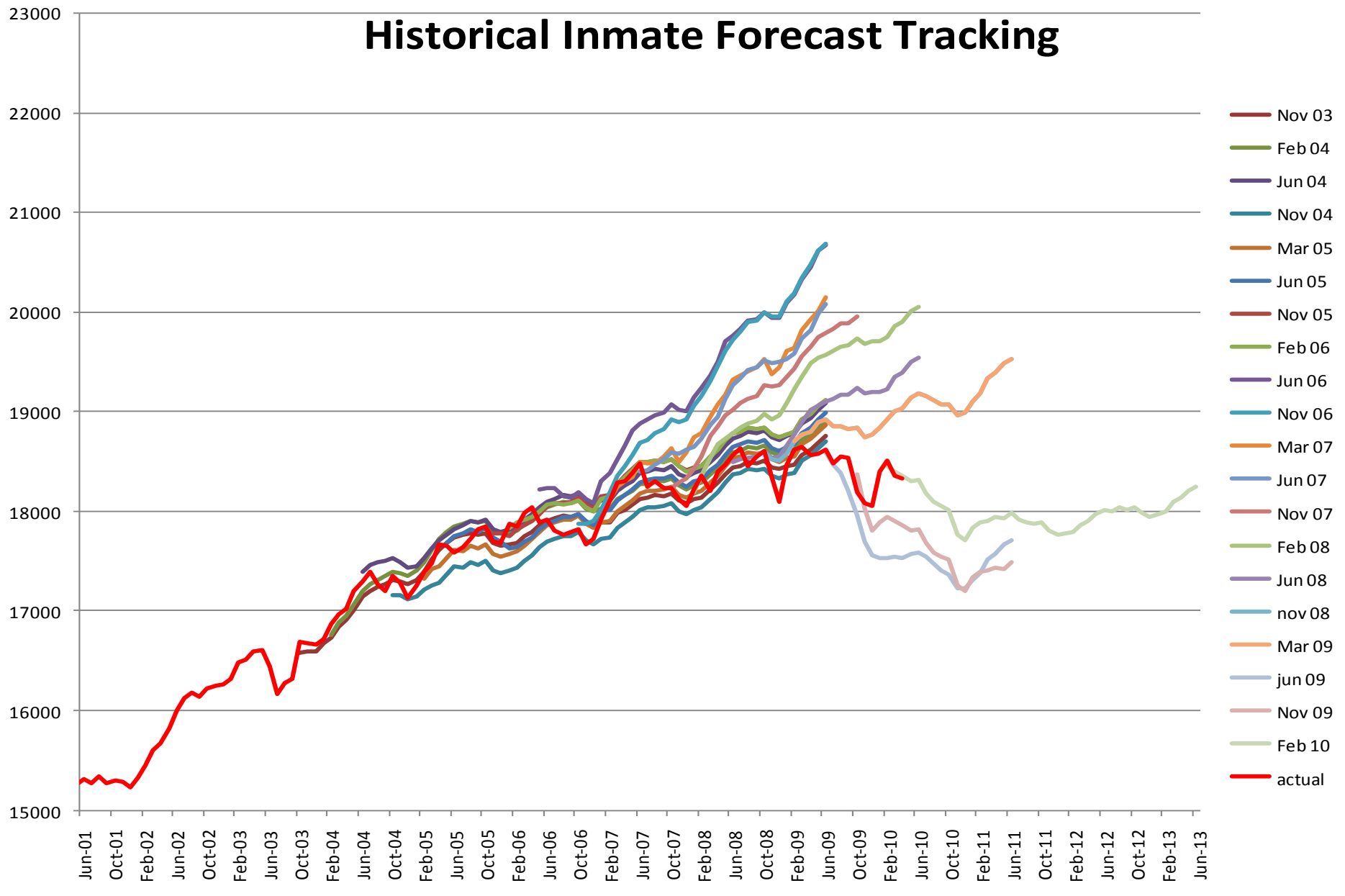
Department of Corrections 2009-11 Biennium Net Policy Level Changes GF-S and Federal Stimulus (ARRA) (Dollars in Millions)

2009-11 ML	2009-11 Enacted	ESHB 2921	2010 Supp	HB 3225	Gov 2011 Supp	Total	Percent Change
\$1,904.4	-\$141.3	-\$6.8	-\$48.6	-\$48.4	-\$3.3	-\$248.4	-13.1%

There were a number of major policy changes related to the Department's budget in the 2009-11 Biennium.

Selected Major Policy Changes Enacted by the Legislature in the 2009-11 Biennium (dollars in thousands)			FTEs	GF-S
Release Elderly/Ill Offenders			-5.8	-\$1,948
Home Detention for Violators			11.0	-\$11,129
Housing Vouchers			-42.8	-\$4,090
Crimes Against Property			-25.0	-\$4,360
Increase DOSA Beds			-38.1	-\$3,434
Supervision of Offenders			-265.0	-\$47,838
Facility Closures			-168.4	-\$61,582
Offender Programming			-10.2	-\$15,021

Historical Inmate Forecast Tracking



Source: Caseload Forecast Council

Major Features of the Governor's Proposed 2011-13 Budget

Department of Corrections 2011-13 Proposed Budget (Dollars in Thousands)

Selected Policy Items	FTEs	GF-S
Early Action Savings (HB 3225) Carried into 2011-13	-158.8	-\$58,001
McNeil Island Closure / Larch Unit Opening	-22.2	-\$18,303
Early Deportation	-34.3	\$-2,515
Eliminate Tolling for Offenders	-47.4	\$-6,006
Merge Indeterminate Sentence Review Board (net of merger savings)	12.5	\$2,711
Merge Data Functions of the Sentencing Guidelines Commission (net of merger savings)	3.5	\$638

APPENDIX



Department of Corrections Institutions

- ▶ **Major Institutions:**

- ▶ Washington State Penitentiary, Walla Walla
- ▶ Washington Corrections Center for Women, Gig Harbor
- ▶ Washington Corrections Center, Shelton
- ▶ Stafford Creek Corrections Center, Aberdeen
- ▶ Monroe Correctional Complex, Monroe
- ▶ McNeil Island Corrections Center, Steilacoom (Closed as of 4/1/2011)
- ▶ Clallam Bay Corrections Center, Clallam Bay
- ▶ Airway Heights Corrections Center, Airway Heights
- ▶ Coyote Ridge Corrections Center, Connell

- ▶ **Minimum Institutions:**

- ▶ Mission Creek Corrections Center for Women, Belfair
- ▶ Olympic Corrections Center, Forks
- ▶ Larch Corrections Center, Yacolt
- ▶ Cedar Creek Corrections Center, Littlerock

SRA Adult Felony Sentencing Grid

**TABLE 1
SENTENCING GRID
FOR CRIMES COMMITTED AFTER JULY 24, 1999**

SERIOUSNESS LEVEL	OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
XVI	Life Sentence without Parole/Death Penalty									
XV	23y 4m 240 - 320	24y 4m 250 - 333	25y 4m 261 - 347	26y 4m 271 - 361	27y 4m 281 - 374	28y 4m 291 - 388	30y 4m 312 - 416	32y 10m 338 - 450	36y 370 - 493	40y 411 - 548
XIV	14y 4m 123 - 220	15y 4m 134 - 234	16y 2m 144 - 244	17y 154 - 254	17y 11m 165 - 265	18y 9m 175 - 275	20y 5m 195 - 295	22y 2m 216 - 316	25y 7m 257 - 357	29y 298 - 397
XIII	14y 4m 123 - 164	15y 4m 134 - 178	16y 2m 144 - 192	17y 154 - 205	17y 11m 165 - 219	18y 9m 175 - 233	20y 5m 195 - 260	22y 2m 216 - 288	25y 7m 257 - 342	29y 298 - 397
XII	9y 93 - 123	9y 11m 102 - 136	10y 9m 111 - 147	11y 8m 120 - 160	12y 6m 129 - 171	13y 5m 138 - 184	15y 9m 162 - 216	17y 3m 178 - 236	20y 3m 209 - 277	23y 3m 240 - 318
XI	7y 6m 78 - 102	8y 4m 86 - 114	9y 2m 95 - 125	9y 11m 102 - 136	10y 9m 111 - 147	11y 7m 120 - 158	14y 2m 146 - 194	15y 5m 159 - 211	17y 11m 185 - 245	20y 5m 210 - 280
X	5y 51 - 68	5y 6m 57 - 75	6y 62 - 82	6y 6m 67 - 89	7y 72 - 96	7y 6m 77 - 102	9y 6m 98 - 130	10y 6m 108 - 144	12y 6m 129 - 171	14y 6m 149 - 198
IX	3y 31 - 41	3y 6m 36 - 48	4y 41 - 54	4y 6m 46 - 61	5y 51 - 68	5y 6m 57 - 75	7y 6m 77 - 102	8y 6m 87 - 116	10y 6m 108 - 144	12y 6m 129 - 171
VIII	2y 21 - 27	2y 6m 26 - 34	3y 31 - 41	3y 6m 36 - 48	4y 41 - 54	4y 6m 46 - 61	6y 6m 67 - 89	7y 6m 77 - 102	8y 6m 87 - 116	10y 6m 108 - 144
VII	18m 15 - 20	2y 21 - 27	2y 6m 26 - 34	3y 31 - 41	3y 6m 36 - 48	4y 41 - 54	5y 6m 57 - 75	6y 6m 67 - 89	7y 6m 77 - 102	8y 6m 87 - 116
VI	13m 12+ - 14	18m 15 - 20	2y 21 - 27	2y 6m 26 - 34	3y 31 - 41	3y 6m 36 - 48	4y 6m 46 - 61	5y 6m 57 - 75	6y 6m 67 - 89	7y 6m 77 - 102
V	9m 6 - 12	13m 12+ - 14	15m 13 - 17	18m 15 - 20	2y 2m 22 - 29	3y 2m 33 - 43	4y 41 - 54	5y 51 - 68	6y 62 - 82	7y 72 - 96
IV	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	18m 15 - 20	2y 2m 22 - 29	3y 2m 33 - 43	4y 2m 43 - 57	5y 2m 53 - 70	6y 2m 63 - 84
III	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	20m 17 - 22	2y 2m 22 - 29	3y 2m 33 - 43	4y 2m 43 - 57	5y 51 - 68
II	0 - 90 Days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	20m 17 - 22	2y 2m 22 - 29	3y 2m 33 - 43	4y 2m 43 - 57
I	0 - 60 Days	0 - 90 Days	3m 2 - 5	4m 2 - 6	5m 3 - 8	8m 4 - 12	13m 12+ - 14	16m 14 - 18	20m 17 - 22	2y 2m 22 - 29

The 2005 Legislature directed WSIPP to report on evidenced-based options to reduce future prison bed impacts, save state and taxpayer money, and reduce crime rates.

Washington State
Institute for
Public Policy

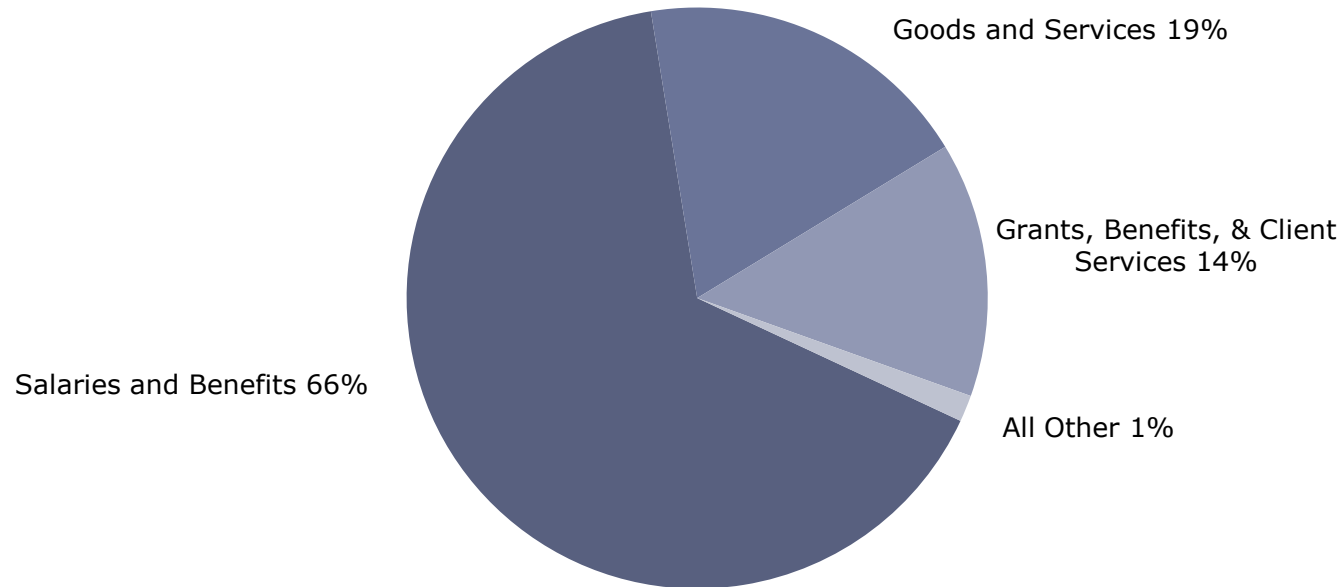
Reducing Crime With Evidence-Based Options: What Works, and Benefits & Costs

Washington State Institute for Public Policy Estimates as of October, 2006	Effect on Crime Outcomes Percent change in crime outcomes, & the number of evidence-based studies on which the estimate is based (in parentheses) (1)	Benefits and Costs (Per Participant, Net Present Value, 2006 Dollars)			
		Benefits to Crime Victims (of the reduction in crime) (2)	Benefits to Taxpayers (of the reduction in crime) (3)	Costs (marginal program cost, compared to the cost of alternative) (4)	Benefits (total) Minus Costs (per participant) (5)
Notes: "n/e" means not estimated at this time. Prevention program costs are partial program costs, pro-rated to match crime outcomes.					
<u>Programs for People in the Adult Offender System</u>					
Vocational education in prison	-9.0% (4)	\$8,114	\$6,806	\$1,182	\$13,738
Intensive supervision: treatment-oriented programs	-16.7% (11)	\$9,318	\$9,369	\$7,124	\$11,563
General education in prison (basic education or post-secondary)	-7.0% (17)	\$6,325	\$5,306	\$962	\$10,669
Cognitive-behavioral therapy in prison or community	-6.3% (25)	\$5,658	\$4,746	\$105	\$10,299
Drug treatment in community	-9.3% (6)	\$5,133	\$5,495	\$574	\$10,054
Correctional industries in prison	-5.9% (4)	\$5,360	\$4,496	\$417	\$9,439
Drug treatment in prison (therapeutic communities or outpatient)	-5.7% (20)	\$5,133	\$4,306	\$1,604	\$7,835
Adult drug courts	-8.0% (57)	\$4,395	\$4,705	\$4,333	\$4,767
Employment and job training in the community	-4.3% (16)	\$2,373	\$2,386	\$400	\$4,359
Electronic monitoring to offset jail time	0% (9)	\$0	\$0	-\$870	\$870
Sex offender treatment in prison with aftercare	-7.0% (6)	\$6,442	\$2,885	\$12,585	-\$3,258
Intensive supervision: surveillance-oriented programs	0% (23)	\$0	\$0	\$3,747	-\$3,747
Washington's Dangerously Mentally Ill Offender program	-20.0% (1)	\$18,020	\$15,116	n/e	n/e
Drug treatment in jail	-4.5% (9)	\$2,481	\$2,656	n/e	n/e
Adult boot camps	0% (22)	\$0	\$0	n/e	n/e
Domestic violence education/cognitive-behavioral treatment	0% (9)	\$0	\$0	n/e	n/e
Jail diversion for mentally ill offenders	0% (11)	\$0	\$0	n/e	n/e
Life Skills education programs for adults	0% (4)	\$0	\$0	n/e	n/e

Source: 2006 October Published Report #06-10-1201 by the Washington State Institute for Public Policy

Department of Corrections

Fiscal Year 2010 Expenditures by Object

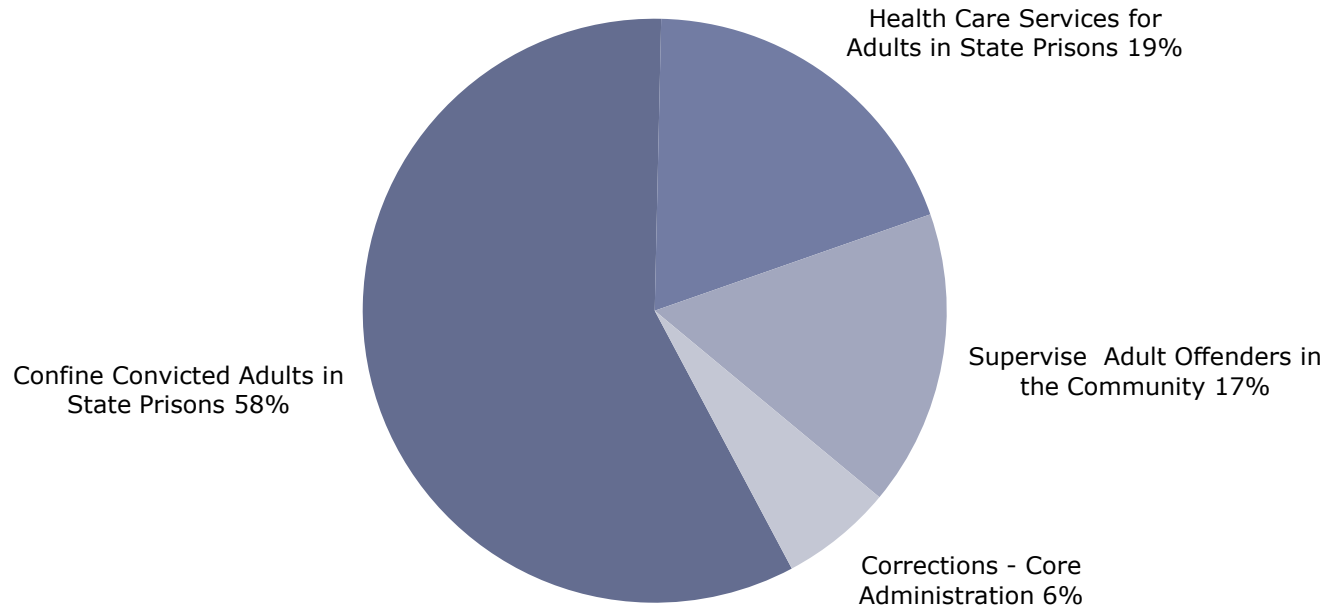


Objects of Expenditures	(\$ 000)
Salaries and Benefits	573,955
Goods and Services	165,014
Grants, Benefits, & Client Services	124,302
All Other	12,923
Total	876,194

Department of Corrections

Fiscal Year 2011 Activities

Near General Fund-State & Opportunity Pathways Account



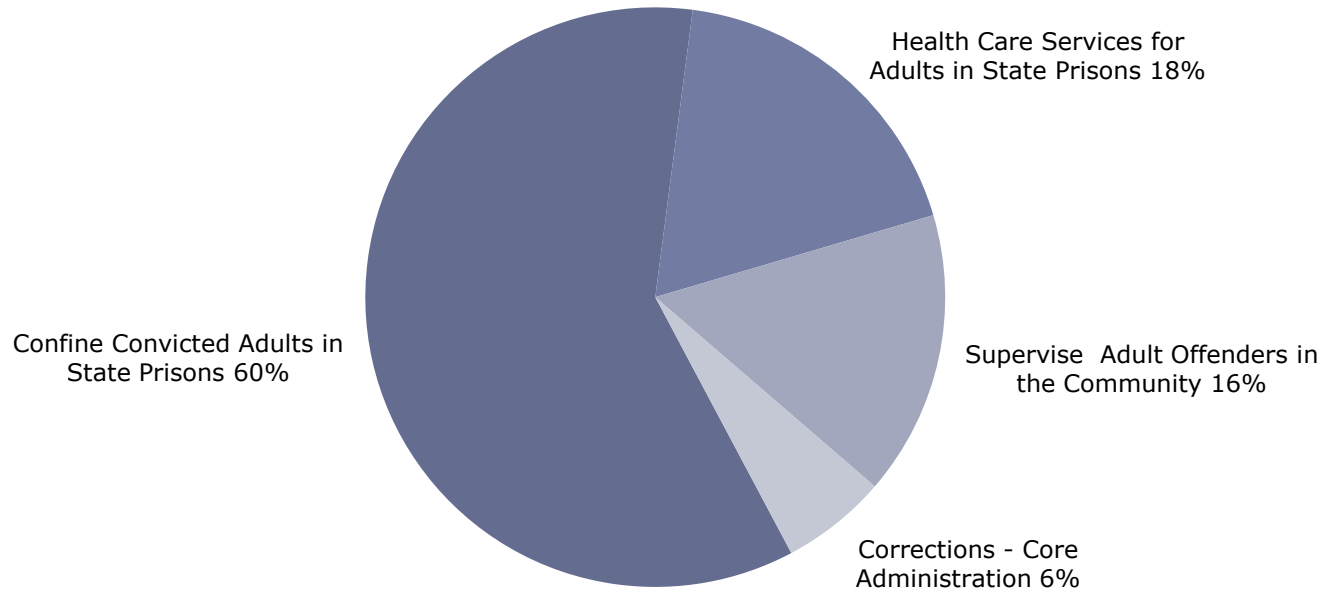
Activities	(\$ 000)
Confine Convicted Adults in State Prisons	487,520
Health Care Services for Adults in State Prisons	161,801
Supervise Adult Offenders in the Community	137,374
Corrections - Core Administration	51,955
Total	838,650

Note: Excludes HB 3225.

Department of Corrections

Fiscal Year 2011 Activities

Total Budgeted Funds



Activities	(\$ 000)
Confine Convicted Adults in State Prisons	527,141
Health Care Services for Adults in State Prisons	161,801
Supervise Adult Offenders in the Community	139,961
Corrections - Core Administration	51,955
Total	880,858

Note: Excludes HB 3225.

Department of Corrections

Funding History

(\$ 000)

	Recast Actual Expenditures								Actuals	Budgeted
	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Near General Fund-State*	545,483	586,378	621,075	660,875	707,178	760,915	865,182	904,348	869,641	790,226
State Efficiency & R-State	0	0	0	0	0	0	0	0	0	34,522
WA Auto Theft Prev-State	0	0	0	0	0	0	527	980	2,980	2,956
Cost of Supervision-Non-Appropriated	1,500	1,931	2,139	2,183	1,914	1,190	2,520	1,196	1,129	2,516
General Fund-Federal	4,825	5,728	2,045	2,462	2,373	1,723	2,257	2,004	2,143	2,143
Federal Seizure Acct-Non-Appropriated	0	0	0	0	0	4	84	173	233	71
General Fund-Federal Unanticipated	24	316	713	719	0	904	0	0	50	0
State Seizure Acct-Non-Appropriated	0	0	0	0	0	0	0	0	19	0
General Fund-Federal ARRA	0	0	0	0	0	0	0	0	0	0
Industrial Insurance-Non-Appropriated	0	135	223	465	180	202	498	-3	0	0
Public Health-State	1,453	0	0	0	0	0	0	0	0	0
State Agency Parking-Non-Appropriated	8	5	49	51	23	34	0	12	0	0
Savings Incentive Ac-Non-Appropriated	67	-67	0	1,591	0	0	0	715	0	0
Digital Government-State	70	150	0	0	0	0	0	0	0	0
Sp Ret Contrib Acct-State	0	0	0	0	0	1	0	0	0	0
Total	553,430	594,576	626,245	668,344	711,668	764,972	871,067	909,425	876,194	832,434

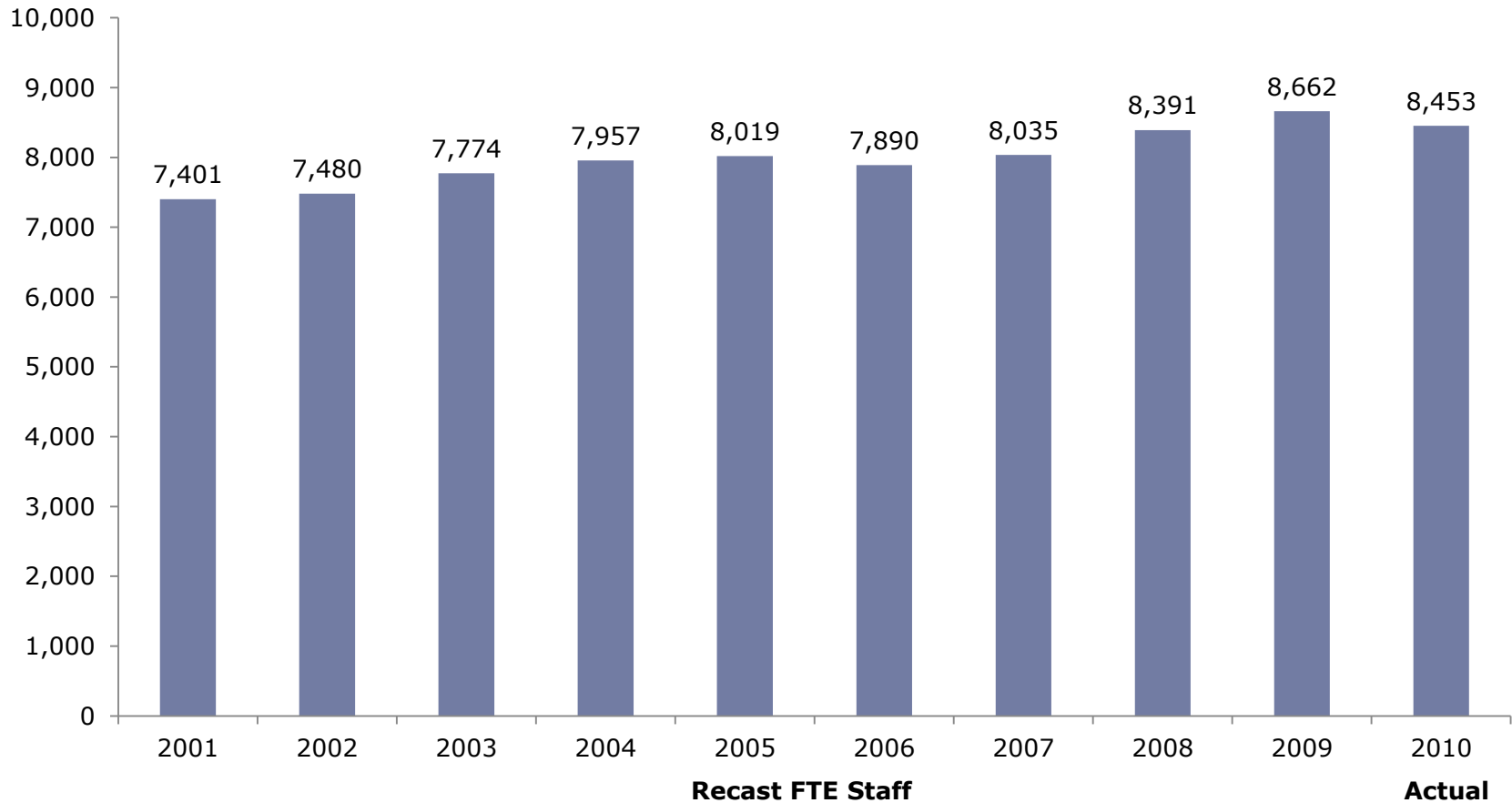
* State general fund, Education Legacy Trust and Opportunity Pathways Account.

In FY 09, 10, and 11 it also includes estimated federal ARRA expenditures that directly substituted for general fund.

Department of Corrections

FTE History

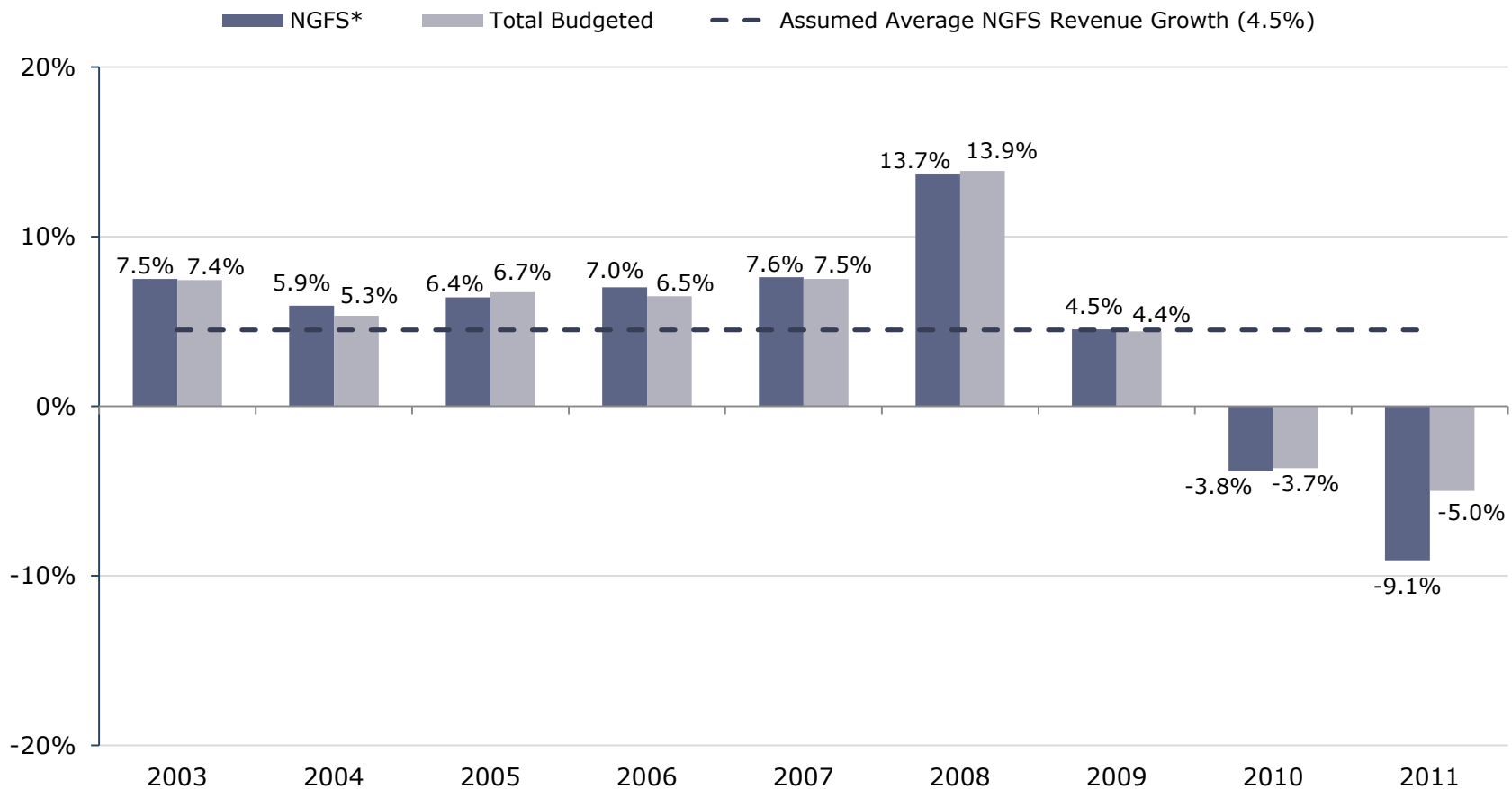
by Fiscal Year



Department of Corrections

FTE History

by Fiscal Year



* State general fund, Education Legacy Trust and Opportunity Pathways Account.

In FY 09, 10, and 11 it also includes estimated federal ARRA expenditures that directly substituted for general fund.



Department of Corrections

Caseloads and Related Information

	2002	2003	2004	2005	2006	2007	2008	2009	Estimated	
									2010	2011
Community Supervision ^{(1) (2)}										
# Active (Non-Monetary) Offenders	33,831	36,765	32,685	29,190	26,466	27,057	28,212	28,894	19,773	19,840
% Change from prior year		8.7%	-11.1%	-10.7%	-9.3%	2.2%	4.3%	2.4%	-31.6%	0.3%
Work Release										
Avg Daily Population/Month	654	642	675	657	684	663	674	674	674	674
% Change from prior year		-1.8%	5.1%	-2.7%	4.1%	-3.1%	1.7%	0.0%	0.0%	0.0%
Institutions ⁽³⁾										
Avg Daily Population/Month	14,808	15,702	16,061	16,732	17,144	17,747	17,714	17,844	17,582	17,179
% Change from prior year		6.0%	2.3%	4.2%	2.5%	3.5%	-0.2%	0.7%	-1.5%	-2.3%
Average Cost Per Inmate ^{(4) (5)}										
Annual	25,447	25,924	26,736	27,193	29,055	31,071	35,611	36,756	34,787	34,239
% Change from prior year		1.9%	3.1%	1.7%	6.8%	6.9%	14.6%	3.2%	-5.4%	-1.6%

(1) Data reflect average monthly caseloads. These data are not comparable with caseloads published in prior editions of the Legislative Budget Notes, which measured end-of-year caseloads.

(2) Accounting issues at the Department of Corrections may have overcounted active caseloads.

(3) For FY 2004 through FY 2009, institutional counts include beds rented from other jurisdictions.

(4) The FY 2005 average cost per inmate does not include funds paid toward the Stamey and Arrasmith lawsuit settlements.

(5) FY 2005 through FY 2009 average cost per inmate does not include start-up costs for expansion at the Monroe Corrections Center, the Washington State Penitentiary, the Coyote Ridge Correctional Center, the Cedar Creek Correctional Center, the Larch Correctional Center, or the Mission Creek Corrections Center for Women

Data Sources:

Caseload Forecast Council, Department of Corrections, and Legislative Fiscal Staff.

Cumulative Estimated Effects of Criminal Justice Legislation in Washington State 1986 - 2008 Sessions

